

# **LEGAL NOTICE**

and

## **Preliminary Determination for an Air Quality Permit for**

### **Freeport-McMoRan Tyrone Inc**

Freeport-McMoRan Tyrone Inc., PO Box 571, Tyrone, NM has submitted an air quality permit application to the Air Quality Bureau (AQB), New Mexico Environment Department (NMED) for an air quality permit to modify Freeport-McMoRan Tyrone Mine. The application file has been assigned Permit No. 2448-M2 and TEMPO Agency Interest ID No. 527. The exact location of the facility is at latitude 32 degrees, 39 minutes, 3 seconds and longitude -108 degrees, 22 minutes, 3 seconds. To aid in locating this facility, the approximate location is 5 miles south from Tyrone, NM.

The proposed modification will consist of increasing mining to 300,000 tpd (with some exceptions), an increase in blasting to 73,000 tpy, and reclamation rates equaling to 20,000 tpd per project (with some exceptions). This modification also requests the removal of two environmental pumps, ENV-123 and ENV-333, as stationary sources.

Total air pollutant emissions to the atmosphere from stack emissions are estimated to be approximately Nitrogen Oxides (NOx) at 84.07 tons per year (tpy) (-36.6); Carbon Monoxide (CO) at 44.01 tpy (-12.58); Volatile Organic Compounds (VOC) at 4.32 tpy (-2.78); Sulfur Dioxide (SO<sub>2</sub>) at 2.2 tpy (+26.1); Total Suspended Particulate Matter (TSP) at 25.85 tpy (+20.65), Particulate Matter 10 microns or less (PM10) at 11.82 tpy (+7.22), and Particulate Matter 2.5 microns or less (PM2.5) at 3.6 tpy (-0.9). Total air pollutant emissions to the atmosphere from fugitive emissions are estimated to be approximately Nitrogen Oxides (NOx) at 65.7 tons per year (tpy) (-109); Carbon Monoxide (CO) at 1,485.6 tpy (+856.2); Volatile Organic Compounds (VOC) at 42.3 tpy (-1.56); Sulfur Dioxide (SO<sub>2</sub>) at 0.1 tpy (-21.6); Total Suspended Particulate Matter (TSP) at 7,370.2 tpy (+2308.7), Particulate Matter 10 microns or less (PM10) at 1,842.3 tpy (+582.3), and Particulate Matter 2.5 microns or less (PM2.5) at 196.69 tpy (+69.49). The facility is a major,  $\geq 100,000$  tpy CO<sub>2</sub>e, source of green house gas emissions. These emission estimates could change slightly during the course of the Department's review of the application.

The NMED has conducted a preliminary review of the information submitted with the permit application. The preliminary review and applicant's analysis of ambient air quality impacts indicates that the facility's air emissions will meet the ambient air quality standards for CO, NOx, SO<sub>2</sub>, PM2.5, PM10 and TSP. A full review will evaluate the estimated emission rates for the pollutants listed above and the air quality analysis to determine compliance with the associated ambient air standards and requirements.

The NMED has conducted a preliminary review of the information submitted with the permit application and found that only volatile organic compounds (VOCs) are increasing due to this modification. VOCs are a pre-cursor to ozone. Pre-construction air dispersion modeling is not required for VOCs and ozone. To determine compliance with national ambient air quality standards, NMED monitors ambient ozone concentrations. A full review will evaluate the estimated emission rates and determine compliance with air quality regulations.

Based on the applicant's analysis, a preliminary determination is that this facility will comply with the requirements of Title 20, New Mexico Administrative Code (NMAC), Chapter 2, Parts 7, 61, 70, 71, 72, 73, and 74; 40 CFR 50; 40 CFR 60 Subparts Kb, OOO; 40 CFR 63 Subpart CCCCCC; and the New Mexico Air Quality Control Act. Therefore, the preliminary intent of NMED is to issue the air quality permit on or before November 13, 2014. This source is a minor source according to 20.2.74 NMAC, PSD.

To ensure compliance with state and federal air regulations, the permit is expected to include conditions that limit the emissions and conditions that will require record keeping and reporting to the Department.

The permit application is available for review in electronic or hard copy at the Air Quality Bureau Office, 525 Camino de los Marquez Suite 1, Santa Fe, New Mexico. To arrange viewing of this application contact Teri Waldron, at 505-476-4355 or [teri.waldron@state.nm.us](mailto:teri.waldron@state.nm.us). The permit application is also available at the NMED Silver City Office, located at 3082 32nd Street By-Pass Road Suite D, Silver City, NM 88061 for public review.

All interested persons have thirty (30) days from the date this notice is published, to notify the Department in writing of their interest in the permit application. The written comments should refer to the company name, facility name and Permit No. (or send a copy of this notice along with your comments). The written comments shall state the nature of the issues raised and how it relates to the requirements of applicable state and federal air quality regulations and the Clean Air Act. The written comments should be mailed to Joseph Kimbrell, New Mexico Environment Dept., Air Quality Bureau, Permit Section, 525 Camino de los Marquez Suite 1, Santa Fe, NM 87505-1816.

The Department will notify all persons, who have provided written comments as to when and where the Department's analysis may be reviewed. Although all written comments will be made part of the public record, any person who does not express interest in writing before the end of this first thirty (30) day period will not receive such notification.

If the Department receives written public comment before the end of the Department's thirty (30) day public notice, the Department's analysis will be made available for review for thirty (30) days at the NMED district or field office nearest to the source before the permit will be issued. Written comments on the analysis or permit application may be submitted to the Department during this second thirty (30) day period or at any time before the permit is issued or denied.

Questions or comments not intended to be part of the public record can be directed to Joseph Kimbrell at 505-476-4347. General information about air quality and the permitting process can be found at the Air Quality Bureau's web site. The regulation dealing with public participation in the permit review process is 20.2.72.206 NMAC. This regulation can be found in the "Permits" section of this web site.